

SERIAL NO. 10/743,945**DOCKET NO. 1293.1069D2C****REMARKS****INTRODUCTION:**

In accordance with the foregoing, claims 1-3 have been amended, and claims 4-15 have been added. No new matter is being presented, and approval and entry of the foregoing amendments and new claims are respectfully requested.

Claims 1-15 are pending and under consideration. Reconsideration is requested.

OBJECTION TO THE CLAIMS:

On page 2 of the Office Action, the Examiner objects to claim 2 for reasons set forth in the Office Action. In view of the amendment to claim 2 presented herein, it is respectfully requested that the Examiner reconsider and withdraw the objection.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action at page 2-3, the Examiner rejected claims 1-3 under 35 U.S.C. §102 in view of Rangan et al., DESIGNING FILE SYSTEMS FOR DIGITAL VIDEO AND AUDIO, pp. 81-94 (ACM 0-89791-447-3 1991). This rejection is respectfully traversed and reconsideration is requested.

By way of review, claim 1 recites, among other features, "recording and/or reproducing real time files requiring real time recording/reproduction according to real time recording/reproduction information for ensuring real time reproduction, the real time recording/reproduction information comprising indication information which represents that the real time files require real time recording/reproduction and attribute information to ensure real time reproduction of the real time file," where "the real time recording/reproduction attribute information comprises minimum contiguous recording and/or reproduction block type information."

In contrast, Rangan et al. discloses a multimedia file system which organizes multimedia data to guarantee that their storage and retrieval is in real time. In order to have the continuity, the multimedia data is divided into strands having blocks whose granularity is set to satisfy the continuity requirement. In order to ensure that the granularity is maintained, each strand includes an ID, a rate of recording, a granularity of storage, and block level correspondence as shown in FIG. 8. (Page 81, sec. 1.1, pages 88-91, sec. 3.5, 4, 4.2). However, while Rangan et al. teaches specifying granularity and recording rates such that the strand is arranged to structurally have continuity, Rangan et al. does not disclose that the strand has an indication that

SERIAL NO. 10/743,945

DOCKET NO. 1293.1069D2C

the strand itself requires real time recording or that Rangan et al. otherwise allows an apparatus to distinguish real time from non real time strands.

As such, it is respectfully submitted that Rangan et al. does not disclose or suggest the invention recited in claim 1.

Claims 2 and 3 are deemed patentable due at least to their depending from claim 1.

PATENTABILITY OF NEW CLAIMS:

Claim 6 is deemed patentable due at least to reasons similar to why claim 1 is patentable over the prior art.

Claims 4, 5, and 7-15 are deemed patentable due at least to their depending from corresponding claims 1 and 6.

CONCLUSION:

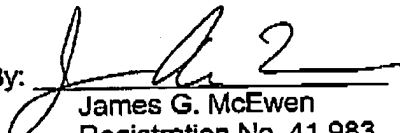
In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

By: 
James G. McEwen
Registration No. 41,983

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

Date: SEPT 1, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Trademarks.
on SEPT 1, 2004
By: STAAS & HALSEY LLP
Date: SEPT 1, 2004